

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
LUBBOCK DIVISION

TRAVIS SRADER,)	
Institutional ID No. 1131536,)	
SID No. 5881459,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO.
)	5:12-CV-167-BG
TDCJ, <i>et al.</i> ,)	ECF
)	
Defendants.)	

REPORT AND RECOMMENDATION

The United States District Judge reassigned this civil rights action to the United States Magistrate Judge for preliminary screening. Now before the court is Plaintiff Travis Srader's Motion to Dismiss. Because Srader has not consented to proceed before a magistrate judge, the undersigned files this Report and Recommendation.

I. Recommendation


The court may dismiss this action pursuant to Rule 41 of the Federal Rules of Civil Procedure. The undersigned recommends that this action be dismissed without prejudice.

II. Right to Object

A copy of this report and recommendation shall be served on all parties in the manner provided by law. Any party who objects to any part of this report and recommendation must file specific written objections within fourteen days after being served with a copy. *See* 28 U.S.C. § 636(b)(1) (2012); Fed. R. Civ. P. 72(b). To be specific, an objection must identify the specific finding or recommendation to which objection is made, state the basis for the objection, and specify the place in the magistrate judge's report and recommendation where the disputed determination is

found. An objection that merely incorporates by reference or refers to the briefing before the magistrate judge is not specific. Failure to file specific written objections will bar the aggrieved party from appealing the factual findings and legal conclusions of the magistrate judge that are accepted or adopted by the district court, except upon grounds of plain error. *See Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1417 (5th Cir. 1996).

Dated: November 1, 2012.


NANCY M. KOENIG
United States Magistrate Judge